

# Notice of Allowability

Application No.

09/554,090

Examiner

Tatyana Zalukaeva

Applicant(s)

CHMELIR ET AL.

Art Unit

1713

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 05/04/2004.
2. ☒ The allowed claim(s) is/are 13-16 and 18-33.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

Tatyana Zalukaeva  
Primary Examiner  
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**EXAMINER'S COMMENT/REASONS FOR ALLOWANCE**

***Terminal Disclaimer***

1. The terminal disclaimer filed on 05/24/2004 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of 6,552,141 has been reviewed and is accepted. The terminal disclaimer has been recorded.

***Allowable Claims***

2. Claims 13-16, 18-33 are allowed over the prior art of record.

***Reasons for Allowance***

3. The following is an examiner's statement of reasons for allowance: claim 24 has been amended to emphasize that the claimed process produces an aqueous polymer or copolymer solution, or an aqueous polymer or copolymer gel. Claim 24 has been amended to recite that, in the process for producing a water- soluble or water-swellaible polymer or copolymer, the free radical polymerizing is started at a temperature of from 0 to 50OC, and is performed in an aqueous solution at a maximum temperature of no more than 102 to 104OC, to provide an aqueous polymer or copolymer solution or an aqueous polymer or copolymer gel; and, subsequent to completion of said free-radical polymerizing step, heating said water-soluble or water-swellaible polymer or copolymer at a temperature of from 120 to 240OC. Anderson does not teach or suggest obtaining at the end of polymerization, an aqueous solution or gel of the polymer or copolymer. In fact, Anderson desires a solid resin from the evaporation of solvent during

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polymerization. Anderson specifically teaches obtaining a solid when polymerization is complete, and driving off the solvent (water) during polymerization, such that no further drying step is required.

No other prior art that anticipate or suggests fairly the instant claims has been located as of the date of this Office Action. Therefore, claims 13-16, 18-33 are allowed over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tatyana Zalukaeva whose telephone number is (571) 272-1115. The examiner can normally be reached on 9:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wu can be reached on (571) 272-1114. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Tatyana Zalukaeva  
Primary Examiner  
Art Unit 1713

June 2, 2004

A handwritten signature in cursive script, appearing to read 'T. Zalukaeva', with a long horizontal stroke extending to the right.